

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Irrigation & CAD Department – Allegations of corruption and malpractices against Sri B.Sarveswara Rao, Executive Engineer (Retd.), Irrigation Circle, Ongole in entrusting the work regarding repairs to Left Bank for inspection track in between M.29/1+330-37/3+282 of A.P.Canal from M.0/0 to 0/6/574 of EB Canal for Rs.9.99 lakhs on nomination basis without following the norms - Further action dropped – Orders – Issued.

IRRIGATION & C.A.D. (IW:SERVICES-VI(1) DEPARTMENT

G.O.Rt.No. 934.

Dated 05-06-2009.

Read the following:-

1. From the Registrar, Institution of Lokayukta & Upa-Lokayukta, Hyderabad, Letter Dis.No.739/ 2002/B2/ 3410/2003, dated 27-06-2003.
2. Govt. Memo.No.12724/Ser.VI(1)/2003-1, dated 26-07-2003.
3. The Engineer-in-Chief (AW), Irrigation & CAD Dept., Hyderabad, Letter No.Rc.ENC/S1(3)/22473/2003, dated 29-11-2004.
4. Govt. Memo.No.12724/Ser.VI(1)/2003-20, dated 01-01-2008.
5. From the Engineer-in-Chief (AW), Irrigation & CAD Dept., dated 11-11-2008.
6. G.O.Ms.No.220, Irrigation & CAD (Ser.VI(1) Dept., dated 24-12-2008.
7. G.O.Rt.No.1641, Irrigation & CAD (Ser.VI(1) Dept., dated 24-12-2008.
8. Written Statement of Sri B.Sarveswara Rao, Executive Engineer (Retd.), dated 27-02-2009.

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ORDER:

In the reference 1st read above, the Registrar, Hon'ble Lokayukta & Upa-Lokayukta, Hyderabad has passed orders on 25-06-2003 in Complaint No.739/2002/B2, that in respect of Allegation No.10, it was stated that one Sri Sriramulaiah of Komminenivaripalem Village commenced the work in Addanki Branch Canal and Eddanapudi Branch Canal, where the work was entrusted to Smt.Susheela, W/o.Venkata Chary, R/o.Komminenivaripalem on nomination basis at estimated rate. Sri Sriramulaiah has commenced his work without proper work order and without concluding the agreement and completed the same by using the proclainers as against the guidelines issued by the Government under Food for Work Programme, and in spite of the protest made by the Department staff. As per the report of the Investigating Officer, the gravel laid by said contractor is not of required thickness. Thus, this allegation is substantiated to the extent that the contractor Sriramulaiah has commenced the work and completed the same without proper work order and concluding agreement with the support of the public servant. It was pointed out by the Investigating Officer in his report on this allegation that there was no loss of revenue to the exchequer and as on date no payment was made to the contractor. Since the matter was technical in nature, it was desirable to refer the matter to the competent authority for thorough verification of the facts with the technical staff and to take appropriate action in the matter.

(P.T.O.)

In respect of Allegation No.13, it was stated that the public servant has issued promotion orders to Sri B.Devasahayam and Sri N.Nageshwara Rao and posted them to Cheemakurthi and Addanki respectively. At the request of Sri N.Nageshwara Rao, he was transferred from Addanki to Circle Office, Ongole, since Sri P.Masthan Khan retired from service. The only irregularity committed by the public servant is that he signed the transfer orders on 30-06-2002, which happened to be a Sunday, and that he did not obtain permission from his higher officers. It is not an illegality, but only an irregularity and it is a curable one. In respect of Allegation Nos. 10 and 13, the Hon'ble Lokayukta has advised the Government to consider the desirability of referring the matter to the competent authority for proper verification of facts through technical staff to take appropriate action in the matter and submit a copy of compliance report to the Institution.

3. In the reference 2nd read above, the Engineer-in-Chief (AW), Irrigation & CAD Deptt., Hyderabad was requested to enquire into the allegations 10, 13 and send the report to Government.

4. In the reference 3rd read above, the Engineer-in-Chief (AW), Irrigation & CAD Dept., Hyderabad has stated that the Chief Engineer, Hydrology, Hyderabad, who has conducted the enquiry into the allegations of Hon'ble Lokayukta vide Complaint No.739/2002/B2 has reported that Sri Venkateswara Reddy and Sri Pattabhi Rami Reddy, Ryots of Villapalli Village have expressed that the work has been carried out which facilitated them for their conveyance to the canal. As complained in the allegation the work was not entrusted to Sri Ramulaiah of Komminenivaripalem. The work was entrusted to Smt.Maguluru Susheela, W/o.Venkatachari, Komminenivaripalem (v), Ballikuruva (M), Prakasam District, who is also Yaminator / Sneha Sudha Mahila DWCRA Group, Komminenivaripalem. It is stated in the allegation that the work is entrusted at the estimated value of Rs.12.00 lakhs on nomination basis. But the technical sanction was accorded by the Executive Engineer for an amount of Rs.9.999 lakhs. It could not be established that the officer has visited the house of Sri Ramulaiah of Komminenivaripalem and had lunch in one Sri Ramulaiah's house as it is a matter of year 2002 and no one in the area has come forward to confirm. Accepting of bribe of Rs.1.00 lakh from Sri Ramulaiah, a ryot of Komminenivaripalem is not established due to non availability of any evidence. In the above circumstances the allegation No.10 is not proved. In respect of Allegation No.13, he has reported that the public servant has issued promotion orders to Sri B.Devasahayam, and Sri M.Nageshwara Rao and posted them to Cheemakurthi and Addanki respectively and at the request of Sri M.Nageshwara Rao, he was transferred from Addanki to Circle Office, Ongole since Sri P.Masthan Khan retired from service and the only irregularity committed by the Pubic Servant is that he signed the transfer order on 30-06-2002 which happened to be a Sunday, and that he did not obtain permission from his higher officer. Hon'ble Lokayukta opined that it is not an illegality but only an irregularity and it a curable one. In view of the above, he has also reported that the Allegation Nos.10 & 13 formulated by the Investigating Officer of Hon'ble Lokayukta based on the complaint filed by some sufferers of Irrigation Circle, Ongole, Prakasam District without signing and without furnishing address against Sri J.Surya Prakash, Superintending Engineer, Irrigation Circle, Ongole, Prakasam District are not proved.

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5. In the reference 4th read above, the Engineer-in-Chief (AW), Hyderabad was informed that Sri B.Sarveswara Rao, Executive Engineer, Irrigation Circle, Ongole, Prakasam District has violated the norms prescribed in entrusting the repair work on nomination basis to Animator of Snehasudha DWCRA Group regarding repairs to Left Bank for inspection track in between M.29/1+330-37/3+282 of A.P.Canal from M.0/0 to 0/6/574 of E.B.Canal on nomination basis for 9.99 lakhs and requested to furnish the Articles of Charges, Statement of Imputations of misconduct in support of the Articles of Charges etc., for initiating the departmental action against the said Govt. Servant.

6. In the reference 5th read above, the Engineer-in-Chief (AW), Irrigation & CAD Dept., Hyderabad has furnished the Articles of Charges in respect of Sri B.Sarveswara Rao, Executive Engineer (Retd.), Irrigation Circle, Ongole, Prakasam District.

7. In the reference 6th read above, Government have accorded sanction to initiate Departmental Proceedings against Sri B.Sarveswara Rao, Executive Engineer (Retd.) and Articles of Charges were issued to said Govt. Servant vide reference 7th read above.

8. In the reference 8th read above, Sri B.Sarveswara Rao, Executive Engineer in his written statement has represented that he was retired from service on 30-04-2003. The above charges were framed against him in respect of the work entrusted by him vide Office Letter No.662M, dated 24-06-2002, i.e., in the year 2002, whereas charges were framed against him vide G.O.Rt.No.1641, Irrigation & CAD (Ser.VI(1) Department, dated 24-12-2008 i.e., after lapse of 6 years from the date of allotment of work. The Rule 9 (2) b) (ii) of A.P. Revised Pension Rules, 1980 says that initiation of disciplinary action against the retired employees shall not be in respect of any even which took place more than four years before such institution.

9. After careful examination of the matter and considering the material available, Government have decided to drop further action against Sri B.Sarveswara Rao, Executive Engineer (Retd.), Irrigation Circle, Ongole, Prakasam District, as no disciplinary action is possible against him due to limitation prescribed under Rule 9 (2) (b) of A.P.Revised Pension Rules, 1980.

10. Accordingly, Government is hereby order to drop further action against Sri B.Sarveswara Rao, Executive Engineer (Retd.), Irrigation Circle, Ongole, Prakasam District, due to limitation prescribed under Rule 9 (2)(b) of A.P.Revised Pension Rules, 1980.

11. The Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.TUCKER
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri B.Sarveswara Rao, Executive Engineer (Retd.), through the Engineer-in-Chief (AW), Irrigation & CAD Deptt., Hyderabad.

The Engineer-in-Chief (AW), Irrigation & CAD Deptt., Hyderabad.

Copy to:

The Secretary, A.P.Vigilance Commission, Hyderabad.

SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER